

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

FIFTH THIRD BANK,)	
)	
Plaintiff,)	
vs.)	Case No. 10-C-2188
)	
A QUALITY FLOORS, INC., 1 st)	Hon. Virginia M. Kendall
QUALITY FLOOR, INC., LIVIU)	
MIHULET, and UNKNOWN OWNERS)	
and NON-RECORD CLAIMANTS)	
)	
Defendants.)	

**ORDER APPROVING REPORT OF SALE AND DISTRIBUTION,
CONFIRMING SALE, GRANTING POSSESSION
AND ENTERING AN IN PERSONAM DEFICIENCY**

This cause comes to be heard on Plaintiff Fifth Third Bank's motion for the entry of an order approving the Report of Sale and Distribution, confirming the sale of the mortgaged real estate that is the subject of the matter captioned above and described as:

THE WEST 173 FEET OF THE SOUTH 12 4/13 RODS OF THE EAST 65 RODS OF THE SOUTH EAST 1/4 OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 33, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTH 33 FEET AND ALSO EXCEPT THE WEST 50 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

The Common Address is: 6815 Carpenter Road, Skokie, IL 60077

The PIN is: 10-33-107-003-0000

Due notice of said motion having been given, the Court having examined said report, and being fully advised in the premises, FINDS:

1. That the subject property is not residential real estate as defined in 735 ILCS 5/15-1219.
2. That there is no right to reinstatement and that, pursuant to 735 ILCS 5/15-1601(b)(i), Liviu

Mihulet, as mortgagor, has waived all rights of redemption by express waiver as stated in Article 5.8 of the mortgage.

3. That this Court obtained personal jurisdiction over the Defendants A Quality Floors, Inc. and Liviu Mihulet, who are personally liable to the Plaintiff for the deficiency from said sale;
4. That all notices required by Section 1507(c) of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1507(c)) were given;
5. That said sale was fairly and properly made;
6. That Intercounty Judicial Sales Corporation, hereinafter "Sale Officer", has in every respect proceeded in accordance with the terms of this Court's Judgment;
7. That the successful bidder, Fifth Third Bank, is entitled to a deed of conveyance and possession of the mortgaged real estate, and;
8. That justice was done.

IT IS THEREFORE ORDERED:

1. That the sale of the mortgaged real estate involved herein, and the Report of Sale and Distribution filed by the Selling Officer are hereby approved, ratified and confirmed;
2. That the proceeds of the sale be distributed in accordance with the Report of Sale and Distribution;
3. That the Mortgagee's advances, fees and costs arising between the entry of the Judgment of Foreclosure and Sale and the date of sale are approved, ratified and confirmed;
4. That the proceeds of said sale were insufficient to satisfy the judgment and that there is a deficiency amount of \$1,097,040.18.
5. That, pursuant to 5/15-1508(e) an in-personam deficiency judgment is entered against Defendants A Quality Floors, Inc. and Liviu Mihulet, jointly and severally in the amount of \$1,097,040.18, with post-judgment interest thereon as provided by 28 U.S.C. § 1961.

6. That upon confirmation herein and upon request by the successful bidder, and provided that all required payments have been made pursuant to Section 15-1509(a) of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1509(a)) the Selling Officer shall execute and deliver to the successful bidder, Fifth Third Bank, a deed sufficient to convey title.

IT IS FURTHER ORDERED:

7. That the Deed to be issued hereunder to the successful bidder, Fifth Third Bank, is a transaction that is exempt from all transfer taxes either state or local and the Cook County Recorder of Deeds is ordered to permit immediate recordation of the Judicial Sale Deed issued hereunder without any exemption stamps;

8. That the successful bidder, Fifth Third Bank, is entitled to and shall have possession of the mortgaged real estate from Liviu Mihulet from the entry of this Order, without further Order of Court, as provided in Section 15-1701 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1701);

9. That in the event possession is so withheld, the United States Marshal or the Sheriff of Cook County is directed to evict and dispossess from the entry of this Order Liviu Mihulet from the mortgaged real estate commonly known as 6815 Carpenter Road, Skokie, Illinois without further Order of Court;

10. That no occupants other than the individual named in the Order of Possession may be evicted without a Supplemental Order of Possession or an order from the Forcible Entry and Detainer Court;

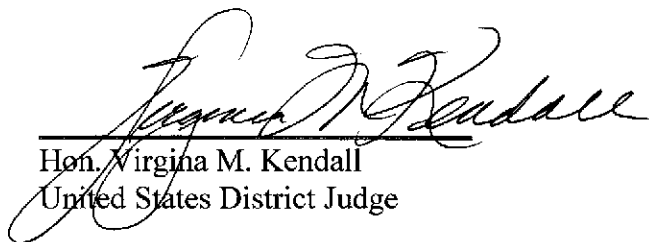
11. That the Municipality or County may contact the below with concerns about the real property:

Fifth Third Bank
Marlana Sanchez
Vice President
1701 Gold Rd., Tower One
Rolling Meadows, IL 60008
(847) 354-7315

and

12. That there is no just cause for delay in the enforcement of or appeal from this order.

Dated: 12-3-10



Hon. Virginia M. Kendall
United States District Judge